

EXHIBIT A

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA

JAMES THOMPSON,)
Plaintiff,)
v.) Case No.
VERIZON WIRELESS SERVICES,)
LLC; EQUIFAX INFORMATION)
SERVICES LLC,)
Defendants.)

CONSENT TO REMOVAL

Without waiving any of its defenses or any other rights, Defendant Verizon Wireless Services LLC, hereby consents to the removal of the above-captioned matter from the Circuit Court of Jefferson County, Alabama to the United States District Court, Northern District of Alabama. Verizon was served on June 17, 2008.

Dated: July 2, 2008

Allan Sidney Jones (ASB-4458-E37A)
Elizabeth Kanter (ASB-0898-L75J)

EXHIBIT B

[REDACTED] ELECTRONICALLY FILED
6/2/2008 9:21 PM
CV-2008-901755.00
CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA
ANNE-MARIE ADAMS, CLERK

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

JAMES THOMPSON,)
)
Plaintiff,)
)
v.) Civil Action Number:
)
)
VERIZON WIRELESS)
SERVICES, LLC; EQUIFAX)
INFORMATION SERVICES,)
LLC,)
)
Defendants.)

SUMMONS

This service by Certified Mail of this Summons and Complaint is initiated upon written request of the Plaintiff's attorney pursuant to the Alabama Rules of Civil Procedure.

NOTICE TO: **Equifax Information Services, LLC**
 c/o CSC Lawyers Incorporating Service, Inc.
 150 S. Perry Street
 Montgomery, Alabama 36104

The Complaint which is attached to this Summons is important and you must take immediate action to protect your rights. You or your attorney are required to mail or hand deliver a copy of a written Answer, either admitting or denying each allegation in the Complaint to the Plaintiff's attorney, John G. Watts, Watts Law Group, P.C., 700 29th Street South, Suite 201, Birmingham, Alabama 35233. **THIS ANSWER MUST BE MAILED OR DELIVERED WITHIN THIRTY (30) DAYS AFTER THIS SUMMONS AND COMPLAINT WERE DELIVERED TO YOU OR A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT.** You must also file the original of your Answer with the Clerk of this Court.

Date

Clerk

State of Alabama Unified Judicial System Form C-34 Rev 6/88	SUMMONS - CIVIL -	Case Number: 01-CV-2008-901755.00
IN THE CIVIL COURT OF JEFFERSON, ALABAMA JAMES THOMPSON v. VERIZON WIRELESS SERVICES, LLC ET AL		
NOTICE TO <small>EQUIFAX INFORMATION SERVICES, LLC, CO CSC LAWYERS INC SERV 150 S. PERRY STREET, MONTGOMERY AL, 36104</small>		
<p>THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE OPPOSING PARTY'S ATTORNEY <u>JOHN GRIFFIN WATTS</u></p> <p>WHOSE ADDRESS IS <u>P.O. Box 531168, BIRMINGHAM AL, 35253</u></p>		
<p>THE ANSWER MUST BE MAILED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT WERE DELIVERED TO YOU OR A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT.</p> <p>TO ANY SHERIFF OR ANY PERSONNEL AUTHORIZED by the Alabama Rules of the Civil Procedure:</p>		
<p><input type="checkbox"/> You are hereby commanded to serve this summons and a copy of the complaint in this action upon the defendant</p> <p><input checked="" type="checkbox"/> Service by certified mail of this summons is initiated upon the written request of <u>JAMES THOMPSON</u> pursuant to the Alabama Rules of the Civil Procedure</p>		
<u>6/2/2008 9:21:58 PM</u> <u>Date</u>	<u>/s ANNE-MARIE ADAMS</u> <u>Clerk/Register</u>	<u>By</u>
<p><input checked="" type="checkbox"/> Certified mail is hereby requested <u>/s JOHN GRIFFIN WATTS</u> Plaintiff's/Attorney's Signature</p>		
<p>RETURN ON SERVICE:</p> <p><input type="checkbox"/> Return receipt of certified mail received in this office on _____</p> <p><input type="checkbox"/> I certify that I personally delivered a copy of the Summons and Complaint to _____ _____ in _____ County, Alabama on _____</p>		
<u>Date</u>	<u>Server's Signature</u>	



AlaFile E-Notice

01-CV-2008-901755.00

To: EQUIFAX INFORMATION SERVICES, LLC
CO CSC LAWYERS INC SERV
150 S. PERRY STREET
MONTGOMERY, AL 36104

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

JAMES THOMPSON v. VERIZON WIRELESS SERVICES, LLC ET AL
01-CV-2008-901755.00

The following complaint was FILED on 6/2/2008 9:21:58 PM

Notice Date: 6/2/2008 9:21:58 PM

ANNE-MARIE ADAMS
CIRCUIT COURT CLERK
JEFFERSON COUNTY, ALABAMA
JEFFERSON COUNTY, ALABAMA
BIRMINGHAM, AL 35203

205-325-5355
anne-marie.adams@alacourt.gov

State of Alabama Unified Judicial System Form AR Civ-93 Rev.5/99	COVER SHEET CIRCUIT COURT - CIVIL CASE (Not For Domestic Relations Cases)	Case Number: 01-CV-200 Date of Filing: 06/02/2008	ELECTRONICALLY FILED 6/2/2008 9:21 PM CV-2008-901755.00 CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA ANNE-MARIE ADAMS, CLERK
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GENERAL INFORMATION**IN THE CIRCUIT OF JEFFERSON COUNTY, ALABAMA
JAMES THOMPSON v. VERIZON WIRELESS SERVICES, LLC ET AL**

First Plaintiff: Business Individual
 Government Other First Defendant: Business Individual
 Government Other

NATURE OF SUIT:**TORTS: PERSONAL INJURY**

WDEA - Wrongful Death
 TONG - Negligence: General
 TOMV - Negligence: Motor Vehicle
 TOWA - Wantonness
 TOPL - Product Liability/AEMLD
 TOMM - Malpractice-Medical
 TOLM - Malpractice-Legal
 TOOM - Malpractice-Other
 TBFM - Fraud/Bad Faith/Misrepresentation
 TOXX - Other: _____

TORTS: PERSONAL INJURY

TOPE - Personal Property
 TORE - Real Property

OTHER CIVIL FILINGS

ABAN - Abandoned Automobile
 ACCT - Account & Nonmortgage
 APAA - Administrative Agency Appeal
 ADPA - Administrative Procedure Act
 ANPS - Adults in Need of Protective Services

OTHER CIVIL FILINGS (cont'd)

MSXX - Birth/Death Certificate Modification/Bond Forfeiture
 Appeal/Enforcement of Agency Subpoena/Petition to Preserve
 CVRT - Civil Rights
 COND - Condemnation/Eminent Domain/Right-of-Way
 CTMP-Contempt of Court
 CONT-Contract/Ejectment/Writ of Seizure
 TOCN - Conversion
 EQND- Equity Non-Damages Actions/Declaratory Judgment/Injunction Election Contest/Quiet Title/Sale For Division
 CVUD-Eviction Appeal/Unlawful Detainer
 FORJ-Foreign Judgment
 FORF-Fruits of Crime Forfeiture
 MSHC-Habeas Corpus/Extraordinary Writ/Mandamus/Prohibition
 PFAB-Protection From Abuse
 FELA-Railroad/Seaman (FELA)
 RPRO-Real Property
 WTEG-Will/Trust/Estate/Guardianship/Conservatorship
 COMP-Workers' Compensation
 CVXX-Miscellaneous Circuit Civil Case

ORIGIN: INITIAL FILING APPEAL FROM DISTRICT COURT OTHER REMANDED TRANSFERRED FROM OTHER CIRCUIT COURT _____HAS JURY TRIAL BEEN DEMANDED? Yes NoRELIEF REQUESTED: MONETARY AWARD REQUESTED NO MONETARY AWARD REQUESTED

ATTORNEY CODE: WAT056 6/2/2008 9:11:46 PM /s JOHN WATTS

MEDIATION REQUESTED: Yes No Undecided

[REDACTED] ELECTRONICALLY FILED
6/2/2008 9:21 PM
CV-2008-901755.00
CIRCUIT COURT OF
JEFFERSON COUNTY, ALABAMA
ANNE-MARIE ADAMS, CLERK

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA

JAMES THOMPSON,)
)
Plaintiff,)
)
v.) **Civil Action Number:**
)
VERIZON WIRELESS)
SERVICES, LLC; EQUIFAX)
INFORMATION SERVICES,)
LLC,)
)
Defendants.)

COMPLAINT

COMES NOW the Plaintiff, by and through counsel, in the above styled cause, and for his Complaint against the Defendants states as follows:

Parties

1. The Plaintiff, James Lee Thompson a/k/a Lee Thompson ("Plaintiff" or "Thompson"), is a natural person who is a resident citizen of Alabama.
2. Defendant Verizon Wireless Services, LLC ("Defendant" or "Verizon") is a foreign corporation doing business in Alabama and in this county.
3. Defendant Equifax Information Services, LLC ("Defendant" or "Equifax") is a foreign company (incorporated in Georgia) that engages in the business of maintaining and reporting consumer credit information and does business in Alabama and in this county.

Factual Allegations

4. Plaintiff is suffering from Verizon continuing to try to collect a debt that it knows Plaintiff does not owe and continuing to falsely report on his credit reports that he has a charged off account with Verizon for a cell phone account.

5. Plaintiff discovered in a billing error and finally resolved this with Verizon and Verizon promised to delete it from all three (3) Consumer Reporting Agencies (CRAs).
6. Verizon admitted on December 19, 2006, in a letter to Plaintiff that the account was paid in full and would be deleted from all three (3) CRAs.
7. Plaintiff discovered Verizon was and is still falsely reporting despite its admission.
8. Plaintiff disputed with all three CRAs at least once if not twice in 2007.
9. Verizon and Equifax verified this account on July 2, 2007, even though they both knew doing so was false and contrary to the law.
10. Plaintiff thought the matter was cleared up after receiving another letter from Verizon dated August 10, 2007, which again stated the account would be deleted.
11. Plaintiff has suffered credit denials after Equifax verified the account.
12. The account still remains on at least Plaintiff's Trans Union, Experian and Equifax reports.
13. This wrongful conduct has drastically impacted Plaintiff's credit score and credit worthiness and has caused him past and future monetary loss, past and future emotional distress, and other damages that will be presented to the trier of fact.

FIRST CLAIM FOR RELIEF
Violations of the Fair Credit Reporting Act (FCRA)

14. All paragraphs of this Complaint are expressly adopted and incorporated herein as if fully set forth herein.
15. Plaintiff is a "consumer," as codified at 15 U.S.C. § 1681a(c).

16. Equifax, Experian and Trans Union are each a “consumer reporting agency,” as codified at 15 U.S.C. § 1681a(e).
17. Verizon is an entity who, regularly and in the course of business, furnishes information to one or more consumer reporting agencies about its transactions or experiences with any consumer and constitutes a “furnisher,” as codified at 15 U.S.C. § 1681s-2.
18. Plaintiff notified the CRAs (including Equifax) directly of a dispute on the Verizon account as it was reporting falsely.
19. The CRAs directly and timely and properly notified¹ Verizon in accordance with the requirements of the FCRA.
20. Plaintiff alleges that Verizon failed in all respects to conduct a proper and lawful reinvestigation from start to finish.
21. Plaintiff alleges that Equifax failed in all respects to conduct a proper and lawful reinvestigation from start to finish.
22. Equifax has at all relevant times failed to maintain reasonable procedures to assure maximum accuracy and has violated § 1681e(b).
23. All actions taken by Defendants were done with malice, were done willfully, recklessly and/or were done with either the desire to harm Plaintiff and/or with the knowledge that its actions would very likely harm Plaintiff and/or that its actions were taken in violation of the FCRA and state law and/or that knew or should have known that its actions were in reckless disregard of the FCRA and state law.

¹ Alternatively, the CRAs did not properly notify Verizon of the dispute and thereby violated the FCRA in this manner. This knowledge is only known by the CRAs and Verizon until discovery is taken.

24. All of the violations of the FCRA and state law proximately caused the injuries and damages set forth in this Complaint.

SECOND CLAIM FOR RELIEF
State Law Claims

25. All paragraphs of this Complaint are expressly adopted and incorporated herein as if fully set forth herein.
26. All Defendants intentionally published false and defamatory information related to the Defendant Verizon account.
27. Defendants acted with negligence, malice, wantonness, recklessness, and/or intentional conduct in their dealings with and about Plaintiff as set forth in this Complaint. This includes the initial reporting of Defendant Verizon account; the handling of any investigations on the accounts; and all other aspects as set forth in this Complaint.
28. Defendant Verizon assumed a duty, through the subscriber agreement and other actions, to accurately report the account and to not report accounts which were false and do not belong to Plaintiff or should not be on Plaintiff's credit reports.
29. Defendants violated all of the duties the Defendants had and such violations were made intentionally, willfully, recklessly, maliciously, wantonly, and negligently.
30. It was foreseeable, and Defendants did in fact foresee it, that refusing to properly investigate and delete would cause the exact type of harm suffered by the Plaintiff.
31. Defendants acted with negligence, malice, wantonness, recklessness, and/or intentional conduct in their dealings with and about Plaintiff as set forth in this Complaint. This includes the initial reporting of the Verizon account; the

intentional refusal to properly delete the account; and all other aspects as set forth in this Complaint.

32. Defendants invaded the privacy of Plaintiff as set forth in Alabama law, including publishing false information about Plaintiff's personal financial obligations.
33. Congress recognized a consumer's right to privacy in financial data in passing the Gramm Leech Bliley Act, which regulates the privacy of consumer financial data for a broad range of "financial institutions" including debt collectors albeit without a private right of action, when it stated as part of its purposes:

It is the policy of the Congress that **each financial institution has an affirmative and continuing obligation to respect the privacy of its customers** and to protect the security and confidentiality of those customers' nonpublic personal information.

15 U.S.C. § 6801(a) (emphasis added).

34. The Defendants acted with intentional, reckless, or wanton conduct in attempting to collect this debt (Defendant Verizon) and reporting this false information (all Defendants).
35. Defendants have each intended that the CRAs and all who review the credit reports of Plaintiffs will rely upon the misrepresentations and suppressions of material facts related to this account which should never have been on Plaintiff's credit reports. Such reliance has occurred which has damaged the Plaintiff.
36. Verizon misrepresented and/or suppressed the fact that it never intended to delete (or request deletion) the account from the CRAs when it promised Plaintiff it would in exchange for Plaintiff paying off the false billing charges.

37. Plaintiff paid the charges in justifiable and reasonable reliance upon the statements of Defendant Verizon and has been damaged by such misrepresentation and suppressions of material facts.
38. Such negligence, malice, wantonness, recklessness, willfulness, and/or intentional conduct proximately caused the damages set forth in this complaint and such conduct occurred before, during and after the disputes to Equifax, Trans Union , and/or Experian.
39. As a result of this conduct, action, and inaction of all Defendants, Plaintiff has suffered damage as set forth in this Complaint.

RELIEF SOUGHT

40. An award of statutory, actual, compensatory and punitive damages, and costs of the action including expenses, together with reasonable attorney's fees.
41. Plaintiff also requests all further relief to which Plaintiff is entitled under Federal and/or State law, whether of a legal or equitable nature.

Respectfully Submitted,

/s/ John G. Watts

John G. Watts
Attorney for Plaintiff

OF COUNSEL:

Watts Law Group, P.C.
700 29th Street South
Suite 201
Birmingham, AL 35233
(205) 879-2447
(888) 522-7167 *facsimile*
john@wattslawgroup.com

/s/ M. Stan Herring

M. Stan Herring

Attorney for Plaintiff

OF COUNSEL:

M. Stan Herring, P.C.
700 29th Street South
Suite 201
Birmingham, AL 35233
(205) 714-4443
(888) 522-7167 *facsimile*
msh@mstanherringlaw.com

Serve Defendants via certified mail at the following address:

Verizon Wireless Services, LLC
c/o Corporation Service Company
701 Brazos Street, Suite 1050
Austin, Texas 78701

Equifax Information Services, LLC
c/o CSC Lawyers Incorporating Service, Inc.
150 S. Perry Street
Montgomery, Alabama 36104

UNITED STATES POSTAL SERVICE

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JUN 16 2008

ANNE-MARIE ADAMS, CLERK
ROOM 400 JEFF. CO. COURTHOUSE
716 RICHARD ARRINGTON JR BLVD. NO. 35203
BIRMINGHAM, ALABAMA 35203

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

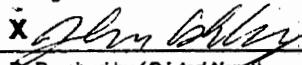
1. Article Addressed to:

Equifax Information Services
LLC c/o CSC Lawyers, Inc.
150 South Perry St.
Montgomery, AL 36104

D 002

COMPLETE THIS SECTION ON DELIVERY

A. Signature



Agent
 Addressee

B. Received by (Printed Name)

John Ashley

C. Date of Delivery

6/5

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

CV 08-901755

3. Service Type

Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

 Yes

2. Article Number

(Transfer from service label)

7007 0710 0003 3265 3044

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540